

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

FRANCISCAN ALLIANCE, INC., *et al.*,

*Plaintiffs,*

v.

No. 7:16-cv-00108

SYLVIA BURWELL, Secretary of the  
United States Department of Health  
and Human Services, *et al.*,

*Defendants.*

**DEFENDANTS' MOTION FOR EXTENSION OF TIME  
TO ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT**

Defendants respectfully seek an extension of time to answer or otherwise respond to the operative complaint. At present, Defendants' deadline to answer or otherwise respond is January 25, 2017, *see* Order (Nov. 15, 2016), ECF No. 40, and Defendants' deadline to notice any appeal of this Court's Order (Dec. 31, 2016), ECF No. 62, granting Plaintiffs' motions for preliminary injunction is March 1, 2017. Defendants respectfully submit that it would make the most efficient use of the parties' and the Court's resources, and provide Defendants sufficient time to prepare their answer or other response, if Defendants are permitted an extension of their deadline to answer or otherwise respond until March 1, 2017.

Counsel for Plaintiffs have informed the undersigned that Plaintiffs take no position on the instant motion.

Dated: January 17, 2017

Respectfully Submitted,

BENJAMIN C. MIZER  
Principal Deputy Assistant Attorney  
General

JENNIFER D. RICKETTS  
Director, Federal Programs Branch

SHEILA M. LIEBER  
Deputy Director, Federal Programs Branch

/s/ Adam Grogg

ADAM GROGG  
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*Counsel for Defendants*

**CERTIFICATE OF CONFERENCE**

I hereby certify that, on January 12, 2017, I emailed Plaintiffs' counsel to ask Plaintiffs' position on the relief requested herein, and that on January 17, 2017, Plaintiffs' counsel responded that Plaintiffs take no position on the instant motion.

/s/ Adam Grogg  
ADAM GROGG

**CERTIFICATE OF SERVICE**

I hereby certify that on January 17, 2017, I electronically filed a copy of the foregoing. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Adam Grogg  
ADAM GROGG